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POLICIES OF APARTHEID OF THE GOVERNMENT OF SOUTH AFRICA

Coordinated approach by the United Nations system on questions relating to South Africa

Report of the Secretary-General

1. At its forty-fifth session, the General Assembly adopted by consensus resolution 45/176 A on 19 December 1990, in which it, inter alia, requested the Secretary-General to ensure the coordination of activities of the United Nations system in the implementation of the Declaration on Apartheid and its Destructive Consequences in Southern Africa and report thereon to the General Assembly at its forty-sixth session. The present report is submitted pursuant to this request.

2. The General Assembly has, since 1965, delineated, in various ways, the approach and activities to be taken by the United Nations system vis-à-vis apartheid South Africa. The overriding concern evident in the resolutions adopted in the past has been: to ensure that the United Nations system was in line with the evolving international campaign to isolate apartheid South Africa; and that these activities would be undertaken in a concerted and coordinated manner in order to achieve consistency in approach and avoid duplication of efforts.

3. Following the adoption by the General Assembly, by consensus, of the Declaration on Apartheid and its Destructive Consequences in Southern Africa, which is contained in the annex to Assembly resolution S-16/1 of 14 December 1989, and the recent developments inside South Africa, the Secretary-General was requested to facilitate all efforts leading to the peaceful eradication of apartheid, to monitor and report on the implementation of the Declaration and to provide appropriate assistance.

4. The Secretary-General has submitted two progress reports to the General Assembly on the implementation of the Declaration (A/44/960 and Add.1-3; and A/45/1052). The former included the findings of the mission dispatched to South Africa by the Secretary-General in June 1990 to obtain first-hand information on the latest developments in the country. The latter report, issued in September 1991, was based on the views of the Government, as well as several other interlocutors, including political parties, movements and organizations, which the United Nations team met during the mission, on the overall situation in the country and on any progress achieved in the implementation of the Declaration since the issuance of the first report.

5. As the Secretary-General stated in his second progress report (A/45/1052), the response of the international community to the complex and delicate process underway in South Africa must be finely tuned. The United Nations system, in addition to its contribution in connection with the return of refugees and exiles, is preparing a concerted response to present and future requests for assistance, particularly from the disadvantaged sectors of the society. On his part, the Secretary-General has reiterated his readiness to help, when requested, in the promotion of the process and in the provision of assistance during the transitional period and beyond.

6. In 1990, the General Assembly, in its resolution 44/244 of 17 September 1990, which was also adopted by consensus, inter alia "urged the international community and the Secretary-General, through the relevant United Nations agencies, to provide all possible assistance to facilitate the re-establishment of previously banned political organizations in South Africa, as well as the reintegration of released political prisoners". The Assembly also requested "the Secretary-General, through the relevant United Nations agencies, to provide all necessary assistance for the voluntary repatriation of the South African refugees and political exiles in safety and dignity ...". In response to that request, the United Nations High Commissioner for Refugees (UNHCR), on 4 September 1991, signed a Memorandum of Understanding with the South African Government which establishes the parameters for the involvement of UNHCR in the voluntary repatriation exercise.

7. In responding to requests by the General Assembly, in its resolution 45/176 A, "to ensure the coordination of activities of the United Nations system in the implementation of the Declaration ..." and in its resolution 45/176 E, for "all United Nations bodies, organs and agencies to cooperate with the Special Committee and the United Nations Centre against Apartheid in their activities in order to ensure consistency, improve coordination and efficient use of available resources and avoid duplication of efforts ...", the Secretary-General has also seized the Administrative Committee on Coordination (ACC) with the matter.

8. The ACC, in April 1991, adopted decision 1991/7 (see annex II below), which establishes guidelines for a coordinated approach by the United Nations system on questions relating to South Africa. These guidelines remain in effect subject to decisions to be taken by the General Assembly at its forty-sixth session and subsequent sessions on the approach and activities to be taken by the United Nations system.

9. In a further response to the call for coordination, a meeting was organized on 1 and 2 October 1991 by the United Nations Centre against Apartheid with all major United Nations organizations, agencies and offices to exchange information on actual or planned activities concerning South Africa, to establish a forum for continued collaboration on this matter and to discuss a seminar to be held in early 1992 under the aegis of the Special Committee against Apartheid, which will examine how the United Nations system as a whole can help in the efforts to address the glaring socio-economic inequalities in South Africa during the interim period and, most importantly, once South Africa has become a united, democratic and non-racial democracy.

10. For a description of present or planned activities of relevant components of the United Nations system, see annex I to the present report.

ANNEX I

Activities of organizations/offices of the United Nations system regarding South Africa*

A. United Nations Centre against Apartheid

1. Since the adoption by the General Assembly of the consensus Declaration on Apartheid and its Destructive Consequences in Southern Africa (see Assembly resolution S-16/1 of 14 December 1989), the role of the United Nations Centre against Apartheid has begun to evolve from being essentially the focal point and advocate of the international campaign against apartheid to that of a more active participant in the search for a peaceful solution to the conflict in South Africa. Since the avowed intention of the South African authorities to abolish the system of apartheid was declared, some contacts at the working level between the Centre and representatives of the South African Government have developed. The Centre also planned and participated actively in the fact-finding mission sent by the Secretary-General in June 1990 in preparation for his report to the General Assembly on the implementation of the Declaration, as well as in the preparation of his second report (see A/44/960 and Add.1-3; and A/45/1052).

2. The United Nations Centre against Apartheid continues to undertake extensive research on all social, economic and political aspects of South African society, as well as on developments in those sectors, and for that purpose maintains a wide array of contacts with non-governmental institutions, organizations and individuals inside and outside of South Africa who are actively involved in promoting the changes now taking place. In this context, it has intensified its contacts with the African National Congress of South Africa (ANC), the Pan Africanist Congress of Azania (PAC) and other parties and established working relationships with representatives of the South African Government.

3. The Centre also services a number of intergovernmental bodies. In addition to the Special Committee against Apartheid, these are the Intergovernmental Group to Monitor the Supply and Shipping of Oil and Petroleum Products to South Africa and the Commission against Apartheid in Sports, the Committee of Trustees of the Trust Fund for South Africa and the Advisory Committee on the United Nations Educational and Training Programme for Southern Africa (UNETPSA).

4. In accordance with the programme of work of the Special Committee against Apartheid, the United Nations Centre against Apartheid organized a number of conferences, roundtables, seminars and consultations in 1991. Two of these are of particular interest in the context of coordination: a Conference on

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* The information provided in the present annex is based on submissions by the organizations/offices concerned.

Educational Needs of the Victims of Apartheid was organized in collaboration with the United Nations Educational, Scientific and Cultural Organization (UNESCO) and the Advisory Committee on UNETPSA in Paris from 22 to 24 June; a/ a seminar to be organized in early 1992, under the aegis of the Special Committee against Apartheid on the possible role of the United Nations system in helping address the socio-economic inequalities in South Africa. In addition, the Centre, on 1 and 2 October 1991, held consultations with designated focal points of selected agencies and offices with programmes or planned activities concerning South Africa in order to start the process of regular exchange of information, to discuss the most appropriate mechanisms for system-wide coordination on this matter, and in order to start preparations for the above-mentioned seminar. The following agencies/offices participated in the meeting: Department of Technical Cooperation for Development of the Secretariat, United Nations Centre on Transnational Corporations, United Nations Development Programme (UNDP), United Nations Children's Fund (UNICEF), United Nations Conference on Trade and Development (UNCTAD), United Nations Population Fund (UNFPA), Office of the United Nations High Commissioner for Refugees (UNHCR), World Food Programme (WFP), International Labour Organisation (ILO), United Nations Educational, Scientific and Cultural Organization (UNESCO), World Health Organization (WHO), World Bank, Centre for Human Rights, and the United Nations Office at Geneva.

5. The Centre administers a number of trust funds, the activities of two of which bear direct relevance to the matter at hand:

(a) The United Nations Educational and Training Programme for Southern Africa, with the technical assistance of the Department of Technical Cooperation for Development of the Secretariat, has until recently provided educational assistance to Namibian and South African students outside their countries of origin. It will continue limited assistance to Namibia in the transitional period. In view of recent developments in South Africa, the trust fund is now in the process of re-orienting its focus to provide more assistance to students coming from inside South Africa and will eventually, when the time is right, provide educational assistance inside South Africa;

(b) The United Nations Trust Fund for South Africa, which provides legal, humanitarian and financial assistance to victims of apartheid, is also in the process of re-evaluating its terms of reference in order to better reflect the new realities in South Africa and adapt itself to new needs and priorities.

6. It is to be noted that all activities undertaken by the Centre are dictated by the overall political assessment of developments in South Africa which is undertaken on an ongoing basis by the Special Committee against Apartheid. The current assessment is that, while undeniable progress has been achieved in South Africa towards the elimination of apartheid, the system of apartheid is still in place. Thus, the need remains for appropriate international pressure to continue be brought on the South African authorities, as well as for assistance to be increased to the opponents of

apartheid and to the disadvantaged sectors of South African society, to ensure that the objectives of the Declaration are met in the most expeditious and peaceful manner.

B. Department of International Economic and Social Affairs

7. At present the Department of International Economic and Social Affairs of the Secretariat is not involved in any activities relating to South Africa. However, it would stand ready to contribute to assistance that the United Nations may provide to South Africa once it becomes a democratic country.

C. United Nations Centre on Transnational Corporations

8. Over the years, the United Nations Centre on Transnational Corporations has been carrying out its share of activities regarding apartheid in South Africa, in response to resolutions of the General Assembly, the Economic and Social Council and the Commission on Transnational Corporations. Among these activities have been the preparation of research studies on the role of transnational corporations in the South African economy, on their interlinkages with the apartheid system, and on the implementation of United Nations decisions and recommendations regarding sanctions and disinvestments.

9. In addition to these activities, the United Nations Centre on Transnational Corporations also held two public hearings, in 1985 and 1989, on the activities of transnational corporations in South Africa and Namibia. These public hearings, each conducted by a Panel of Eminent International Personalities, produced a series of recommendations for concerted international action towards the eradication of apartheid, including technical assistance and educational programmes for South African nationals and organizations to equip them for active participation in the governance of a post-apartheid South Africa.

10. The United Nations Centre on Transnational Corporations has received a request from ANC for assistance in the formulation of an investment code and other policy options on the role of transnational corporations in post-apartheid South Africa. A project has been organized in response to that request, as an integral part of the efforts of the United Nations towards eradicating the system of apartheid in South Africa.

11. The primary objective of the project is to assist ANC in developing its institutional and policy-making capacity in the area of foreign direct investment and transfer of technology, so as to participate fully and effectively in the formulation and implementation of development-oriented policies in a post-apartheid South Africa.

12. There have been preliminary discussions between ANC and the United Nations Centre on Transnational Corporations on the outline of an overall programme of technical assistance.

13. The first phase of the project is to consist of the formulation of an investment code for post-apartheid South Africa. A draft investment policy statement is being prepared for discussion within ANC. This process will include the organization of several seminars and workshops. The draft is then to be revised in the light of these discussions, for consideration and eventual adoption by the ANC leadership in the form of an investment code. This code may then become the basis of more detailed investment regulations for particular sectors of the South African economy.

14. The second (and longer-term) phase of the project is to consist of a series of more detailed policy studies designed to complement and strengthen the work on an investment code, and to develop the institutional and manpower resources of ANC on the broad range of investment-related issues. It is envisaged that the project may require the secondment of an ANC official to the United Nations Centre on Transnational Corporations, in order to assist in its overall management and implementation.

D. Department of Technical Cooperation for Development

15. The policy of the Department of Technical Cooperation for Development of the Secretariat has been to support the General Assembly's resolutions against apartheid and support the recommendations that the United Nations system should implement a coordinated approach dealing with matters concerning South Africa and Namibia.

16. It is the established policy of the Contracts and Procurement Service of the Department not to purchase directly or indirectly products of South African origin nor to award contracts or provide facilities to corporations collaborating with South Africa. This policy has been incorporated as a standard clause to the Invitation to Bid Form of the Department, the purchase order form, and to every contract awarded by the Contracts and Procurement Service.

17. The Fellowships Service of the Department, through UNETPSA, continues to provide educational assistance to South African and Namibian individuals all over the world. This programme further developed its cooperation with scholarship agencies, educational institutions, foundations and government agencies. Between 1989-1990, 1,200 scholarships were granted, of which 361 grantees were from Namibia and 839 were from South Africa.

E. Department of Public Information

18. The General Assembly requested the Secretary-General to ensure the effectiveness of the activities of the Department of Public Information of the Secretariat and the dissemination of information on United Nations activities against the policies and practices of apartheid, giving due attention to the unilateral measures and official censorship imposed on the local and international media with regard to all aspects of that issue.

19. During 1990 and 1991, the Department continued to promote the Declaration on Apartheid and its Destructive Consequences in Southern Africa adopted by the General Assembly. This was primarily carried out through the promotion campaign built around the photo exhibit jointly produced by the United Nations Centre against Apartheid and the Department under the title "Apartheid South Africa Travelling Exhibit". In the light of the rapidly changing situation in South Africa, the photo exhibit has been going through a constant process of updating to reflect new developments. The photo exhibit and its different language versions (English, French, Spanish and German) was shown in Argentina, Austria, Cuba, Germany, Italy, Luxembourg, the Netherlands, Switzerland and Colombia. The exhibit is currently being shown in Canada, Chile, Peru, the United Kingdom of Great Britain and Northern Ireland and the United States of America. Promotional activities, including seminars, dissemination of brochures and other information material, and press conferences, were carried out through United Nations information centres and services at the time of the showing of the exhibit, to reinforce the message conveyed through the exhibit and embodied in the Declaration of the General Assembly.

20. The Department widely distributed the seven-language versions of the poster entitled "For a United, Non-Racial and Democratic South Africa", which it had produced on the occasion of 21 March, the International Day for the Elimination of Racial Discrimination. The postcard version of the poster, also produced in seven languages, was widely distributed.

21. In consultation with the United Nations Centre against Apartheid, the Department continued to promote the Declaration on Apartheid and its Destructive Consequences in Southern Africa, by publicizing the Secretary-General's reports on the progress made in the implementation of the Declaration, one in 1990 and a second report in 1991.

22. The Department in its multi-media approach to the dissemination of information, provided television, press, photographic and radio coverage of the meetings of the Special Committee against Apartheid and the United Nations Centre against Apartheid. One hundred fifty-one press releases were issued in English and French on the issue of apartheid, during 1990 and 1991. During the period of 1990-1991. the Department produced 1,365 radio documentary feature programmes in English, Afrikaans, Sesotho, Setswana, Xhosa and Zulu. The programmes were sent to radio stations whose transmissions can be heard in South Africa and neighbouring countries and to stations in other parts of the world.

23. Two special briefings for the 1,500 non-governmental organizations affiliated with the United Nations were held during 1990 and 1991, where four videos on the issue of apartheid were shown. During this period, six mailings of publications of the Department on the issue of apartheid were sent to the non-governmental organizations. Two World Chronicle television programmes were produced during this period, featuring the Chairman of the Special Committee against Apartheid, addressing the "Recent Developments in South Africa" and the Assistant Secretary-General for the United Nations Centre against Apartheid, addressing "The United Nations and Apartheid".

F. Centre for Human Rights

24. The General Assembly, in its resolution 45/176 A entitled "International efforts to eradicate apartheid", called for the measures aimed at eradicating apartheid to be maintained and appealed for economic, humanitarian, legal, educational and other assistance and support to the victims of apartheid and to all those, including previously banned organizations, who oppose apartheid and promote a united, non-racial, democratic society in South Africa.

25. United Nations human rights organs have continued to exert every effort to bring about the end of apartheid. In this regard, the reports of the Ad Hoc Working Group of Experts on Southern Africa, the activities of the Commission on Human Rights in the implementation of the International Convention on the Suppression and Punishment of the Crime of Apartheid, the reports of the Special Rapporteur on the Adverse Consequences for the Enjoyment of Human Rights of Political, Military, Economic and other Forms of Assistance given to the Racist and Colonialist Regime of South Africa and the activities under the Second Decade to Combat Racism and Racial Discrimination may be pointed out. Detailed information on these activities is before the General Assembly in various reports.

26. The Centre for Human Rights, within the Programme of Advisory Services and Technical Assistance in the Field of Human Rights, has sought ways of providing assistance to those working for a united, non-racial and democratic South Africa pursuant to the request of the General Assembly. After extensive consultation and in close cooperation with the United Nations Centre against Apartheid, the Centre for Human Rights and the World Council of Churches decided to organize a seminar on international human rights standards and constitutional law. The purpose of the seminar was to bring together specialists from South Africa involved in the preparations for the drafting of a new constitution and international experts to explore how international human rights standards can be expressed in constitutional law.

27. The Seminar took place at Geneva from 17 to 20 June 1991 and was opened by Mr. Jan Martenson, Under-Secretary-General for Human Rights, and by Mr. Emilio Castro, Secretary-General of the World Council of Churches. Thirty-three participants from South Africa, who were involved in the development of a new constitutional structure in South Africa, took part in their personal capacity. They came from a broad spectrum of South African society. Ten outstanding international experts were invited to present papers and lead the discussions on international human rights norms and how they can be included in constitution law. Mr. Keba M'Baye, former Judge of the International Court of Justice and former chairman of the United Nations Commission on Human Rights, gave the inaugural lecture on "International Human Rights Standards and Constitutional Law with Special Reference to the Independence of the Judiciary". The following other lectures were also given:

(a) "Constitutional protection of internationally guaranteed economic, social and cultural rights" by Mr. Cornelis Flinterman, Professor of Law, University of Limburg, alternate member of the Sub-Commission on Prevention of Discrimination and Protection of Minorities;

(b) "National institutions for the protection and promotion of human rights: the Ombudsman" by Mr. Arne Fliflet, Parliamentary Ombudsman of Norway;

(c) "Constitutional protection of internationally guaranteed civil and political rights" by Mr. Marc Bossuyt, Professor of International Law, University of Antwerp, former Chairman of the Commission on Human Rights;

(d) "Constitutional guarantees for human rights, including judicial remedies" by Mr. Christian Tomuschat, member of the International Law Commission, former member of the Human Rights Committee;

(e) "Constitutional law, equality, non-discrimination and the elimination of all forms of racial discrimination" by Mr. Isi Foighel, Member of the Committee on the Elimination of Racial Discrimination;

(f) "Constitutional protection of the rights guaranteed by the International Labour Code" by Mr. Neville Rubin, Senior Officer, Equality of Rights Branch, International Labour Office;

(g) "Constitutional protection of the rights of the minorities" by Mr. Asbjorn Eide, Member of the Sub-Commission on Prevention of Discrimination and Protection of Minorities;

(h) "Constitutional guarantees for the independence of the judiciary in common law countries" by Ms. Dinah Shelton, Visiting Professor of Law, Stanford University, Professor of Law, Santa Clara University;

(i) "Constitutional protection of the human rights promoted by UNESCO" by Mr. Janusz Symonides, Director, Division of Human Rights and Peace, UNESCO.

28. Ample time was allowed for discussions with regard to each lecture and at the end of the Seminar a general discussion on international human rights standards and constitutional law took place. The participants expressed deep appreciation for the seminar and often referred to the fact that it was the first discussion of constitutional issues between people from South Africa from such a broad range of different groups.

29. During the seminar and subsequently, many requests were received for further activities and assistance in promoting understanding of and respect for human rights in the South African context. Similar broad-based seminars on other topics, for example, on a constitution court, the judiciary, standards for the police and information and training activities were suggested. Other requests dealt with education and advanced studies in human rights, publications and information activities, including training for teachers, lawyers, judges and police officers and the translation and distribution of human rights material. Thought was given by many to projects which might assist in the coming transitional period from the point of view of human rights. These requests are being reviewed in close cooperation with the United Nations Centre against Apartheid.

G. United Nations Children's Fund

1. Background

30. The support given to South African children and women by the United Nations Children's Fund (UNICEF) dates back to 1974, in response to and in accordance with the relative resolutions passed by the General Assembly for organizations of the United Nations to provide assistance to national liberation movements and to the people of South Africa suffering under the apartheid regime (for example, Assembly resolutions 43/50 \ of 5 December 1988, 44/27 A and 44/27 K of 22 November 1989 and 45/176 A of 19 December 1990). UNICEF assistance to South African children and women has been channelled through the two liberation movements recognized by the OAU and the United Nations; namely, ANC and the Pan Africanist Congress of Azania (PAC). In collaboration with WHO, UNHCR and UNDP, UNICEF has helped South African children and women residing in Angola, the United Republic of Tanzania and Zambia. This inter-agency response provided resources for activities in health, nutrition, emergency relief, formal and non-formal education, and early childhood care and development.

31. During the early 1980s, it became increasingly clear to UNICEF that apartheid and the destabilization of southern African States was having a detrimental impact on the welfare of the population, especially women and children. A review of strategies for child survival and development, for instance, revealed that armed conflict and destabilization were undermining the capacity of all countries of the sub-region to provide basic services for children and women.

32. The publication Children on the Frontline, released in January 1987, underscored the human costs of these conflicts, and it rapidly became a useful reference statement on the destructive impact of apartheid on people in the southern African subregion. The publication was cited extensively by international leaders and parliamentarians when discussing South Africa and was also widely referred to at the 1987 Harare Conference on Children in South Africa.

33. In 1989, Children on the Frontline was updated. Additional information on the situation of children in South Africa was included and a new section on Namibia was added. This edition was issued shortly before the United Nations Transitional Assistance Group (UNTAG) was deployed in Namibia, and it proved to be extremely relevant to the development of the UNICEF emergency programme for Namibia that was approved by the Executive Board at its 1989 session. b/ UNICEF will soon issue a third update of the publication with the theme "From Wartime Survival to Postwar Rehabilitation and Renewed Development in Southern Africa".

34. During the late 1980s, Governments and the international community increasingly called attention to the worsening conditions of children and women inside South Africa as a result of the escalation of violence, as well as the deterioration of the delivery of basic services for the majority of the

black population. In response, UNICEF arranged briefing sessions and external study tours for relevant democratic, non-racial non-governmental organizations.

35. This led to a UNICEF-sponsored Conference of South African non-governmental organizations, held at Gaborone in April 1990 with UNICEF. The non-governmental organizations concerned formed an umbrella organization - the National Children's Rights Committee (NCRC) - which would facilitate the drawing up of a coordinated plan of action for alleviating the plight of South African children and women, oversee the implementation of such a programme, as well as be responsible for resource mobilization for the implementation of planned activities; including the coordination of external donor support. It was also at the Gaborone Conference that a number of needs were identified, such as:

(a) Raising the South African's awareness and concerns about the situation of children in South Africa, and about the rights of children as outlined in the Convention on the Rights of the Child (adopted by the General Assembly in its resolution 44/25 of 20 November 1989), with the aim of protecting and entrenching those rights in a non-racial, non-sexist and democratic South Africa;

(b) Improving the capacity of all those democratic, non-racial non-governmental organizations in South Africa, concerned with providing protection and other social services to children, to broaden and strengthen their capacity and improve their effectiveness, particularly at the local and regional levels;

(c) Developing a more comprehensive information base on children and women in South Africa, with the aim of publicizing this information in ways that can be used by non-racial, democratic non-governmental organizations for mobilizing communities to action to promote the survival, development and protection of all children.

36. For the 1990 UNICEF Executive Board a three-year (1990-1992) Master Plan of Operations for $US 3 million was drawn up and approved. c/ The following are the main components of the programme, as approved by the Board:

(a) A Situation Analysis Study to help determine the priority problems of children and women in South Africa as a basis for the drawing up of a programme of action for addressing these needs, as well as a strategy for the mobilization of the required resources - both from within and from outside - to implement such a programme of action;

(b) A Children's Rights Campaign, to assist anti-apartheid non-governmental organizations in taking advantage of the political space created in South Africa in furthering the cause for the attainment of human rights by improving the effectiveness of their efforts and activities within the general framework of the 1989 Convention on the Rights of the Child;

(c) Direct support to victims of apartheid, as a result of the situation analysis, to support non-governmental organizations concerned with priority issues for child survival, development and protection.

37. Significant progress has been made in the short period since the implementation of the above-mentioned activities began in the middle of this year.

2. The Situation Analysis Study

38. A one-week training workshop on the Situation Analysis Study was conducted at Gaborone in April 1991; followed by the information of situation analysis task forces at the national and regional level, which have initiated research activities. Preliminary drafts are expected to be available for discussion and polishing up by early 1992. It is planned that a report on the situation of children and women in South Africa should be published and ready for circulation and utilization by December 1992. Mechanisms have also been put in place to facilitate broad participation in order to ensure a broad base of analysis for the research work.

3. The Children's Rights Campaign

39. The Children's Rights Campaign is an ongoing exercise. The United Nations declaration of 1979 as the International Year of the Child, and more recently the adoption of the 1989 Convention on the Rights of the Child, have presented unique opportunities for the anti-apartheid non-governmental organizations in South Africa to advocate on behalf of children. UNICEF is currently supporting two initiatives:

(a) The facilitation of the planning and implementation of a more systematic approach to the children's rights, through contact with concerned non-governmental organizations;

(b) The dissemination of the Convention on the Rights of the Child and the "Facts For Life" booklet, as well as their translation into four of the major languages in South Africa, and the wide circulation of these through workshops and seminars.

H. United Nations Development Programme

40. The response of the United Nations Development Programme (UNDP) to the developments in South Africa is still based on its mandate and its ongoing cooperation with the national liberation movements recognized by OAU. UNDP is guided by the Declaration on Apartheid and its Destructive Consequences in Southern Africa, contained in General Assembly resolution S-16/1, as well as Assembly resolutions 44/244 and 45/176 A. All of these resolutions, while advocating the continuation of sanctions, also appeal to the international

community, including the United Nations system to increase economic, humanitarian and other assistance to the victims of apartheid. In this regard, the Secretary-General was requested to ensure the coordination of the activities of the United Nations system.

41. Like other United Nations agencies, UNDP has no official mandate to support operational activities within South Africa. Therefore, UNDP has limited its involvement to externally-based projects to assist the national liberation movements since 1974. The Special Assistance Programme for national liberation movements continues to be implemented in close collaboration with and under the endorsement by the Liberation Committee of OAU at Dar-es-Salaam. The ongoing programme for 1987-1991 includes over 30 projects with a total funding of $US 17 million. More than two thirds of this is allocated to projects in training and education. In June 1990, the Governing Council allocated an additional $US 12 million to continue the national liberation movements programme during the 5th programming cycle. The development priorities for the new cycle are expected to continue to emphasize the need for human resources development and basic education. When this programme for the 5th Cycle will be drafted, the results of the assessment of prior experiences will be a guiding factor. The priorities would have to be adjusted to accord with the new needs assessment for assistance in South Africa. At the same time, the new programme should include a schedule for phasing out the outgoing assistance to national liberation movements and phasing in a transition programme.

42. Since the Secretary-General's visit to South Africa in September 1989, which was followed by the mission of the Under-Secretary-General, Abdulrahim Farah, to South Africa in June 1990, several South African groups have approached UNDP and other United Nations system organizations, such as UNFPA, UNICEF, UNESCO and the World Bank to discuss technical cooperation and other measures that could support a prospective transitional effort. The approaches to UNDP, which have always been informal, were made by, among others, officials from the Government of South Africa, universities, non-governmental organizations and the Development Bank of Southern Africa, as well as other private sector entities. The South African Government was particularly interested in learning about UNDP's activities and experience in the development field. These contacts are, of course, additional to the ongoing dialogue of UNDP with ANC and PAC on the need to identify strategies that could strengthen and expand the human resource capacities within the black community.

43. As a first step in preparing for the emerging situation, and following the visit of the mission dispatched by the Secretary-General in June 1990, the Director of the Regional Bureau for Africa (RBA) made unofficial visits to South Africa, in order to get a sense <u>in situ</u> of the major social and political changes in the country and find out the attitudes and thinking of the various parties directly involved in the dismantling of the apartheid system and the building of a multi-racial democracy.

44. In February 1991, UNDP/RBA fielded a mission to southern Africa and Europe to hold informal consultations with the national liberation movements, prospective training institutions, and selected United Nations technical agencies concerning a future technical cooperation initiative in a post-apartheid South Africa. Simultaneously, (5-8 February 1991) UNDP was represented at the ANC Donors Conference at Arusha, United Republic of Tanzania. The Conference had been called by ANC to obtain clarity and to inform existing and potential donors about the ANC approach to political organization and community development. To achieve these aims, key priorities within a wide range of sectors were mapped out. The Conference was attended by 150 delegates with one third coming from the ranks of ANC, its allies and other segments of the South African liberation movement. Following this Conference, another meeting took place among OAU, UNDP, ANC and PAC to discuss the 5th Cycle Special Programme for the national liberation movements. UNDP/RBA has further exchanged views with the World Bank and the Commonwealth Secretariat on possible coordinated approaches to the changing situation in South Africa.

45. Based on the above contacts and discussions within RBA, ideas are emerging which would form the basis of a UNDP Action Plan/Strategy on South Africa. The following section deals with those ideas.

46. UNDP should not move beyond the legal parameters of the existing resolutions of the General Assembly and those of the OAU until these resolutions have been rescinded. Within the framework of a coordinated approach by the United Nations system, it is proposed that consultations should be held with the United Nations Secretariat in order to determine those conditions under which the United Nations system could assist the internal victims of apartheid.

47. UNDP should continue to implement the ongoing technical assistance programme for national liberation movements with no substantive change. However, it is suggested that a schedule of phasing out of the ongoing programme be included in the 5th Cycle Special Assistance Programme, and a transition programme be provided for. At the same time, a dialogue should be initiated with other United Nations agencies to launch a series of needs assessment analyses in the education, health, training, housing, employment and small enterprise sectors. In the short- and medium-term, there is a clear need to build capacity in general development strategies and options, social and economic reconstruction, public business management, support to small- and medium-scale enterprises of promotion and development, and an immediate need to focus on teacher training.

48. In this connection, it is suggested that the results of the already ongoing activities of some international agencies should be noted and analysed. These include consultancies on economic, social and scientific aspects, and assessments of human development needs, undertaken by the World Bank and the Commonwealth Fund for Technical Cooperation. UNDP should also assist in identifying key sectoral issues in a parallel exercise that could expand into a shadow programme. UNDP should establish a trust fund to mobilize additional donor resources. It has been proposed to the national

liberation movements and OAU that the core for such a trust fund could be established by setting aside part of the 5th Cycle NLM IPF funds. The idea is to generate donor interest towards the proposed trust fund by allocating the UNDP contribution as a catalyst for other sources. The proposal was, in principle, accepted by OAU and the two liberation movements.

49. While formulating the UNDP strategy on assistance to South Africa, the regional issues should also be taken into account. The democratization process will have impact on labour migration, regional trade balance, the employment situation in the neighbouring countries, regional economic and educational cooperation and coordination of transport systems, to mention a few. This is linked with the question of South African relations with such subregional organizations as the Southern African Development Coordination Conference (SADCC) and the preferential trade area (PTA). UNDP should support SADCC and PTA as appropriate to plan for greater economic cooperation and integration in a post-apartheid South Africa.

50. In order to advance the needs assessment process, UNDP proposed to help establish an information exchange mechanism composed of a small-core group of development partners: United Nations Centre against Apartheid, African Development Bank, World Bank, Economic Commission for Africa, Commonwealth Secretariat, and European Economic Community (EEC). This informal consortium could conduct perspective planning of human resource capacity requirements with the participation of representatives of some South African groups and help shape consensus on appropriate technical cooperation responses to the South African milieu. Its findings would also help prepare the ground for future donor resource mobilization efforts. The first meeting of the core-group took place on 30 September 1991 at Geneva.

51. The meeting was considered by all participants to be useful and well timed. It was agreed that these informal consultations should be continued in the present form, perhaps on a rotationary basis, roughly twice a year. It was agreed that the composition of the core-group would remain as it was. The opinion expressed at the meeting was that the bilateral and other United Nations organizations and South African partners could be contacted and consulted in other forums. It was agreed that the second meeting of the core-group would be held in New York during the first quarter of 1992.

52. Following the participants' presentation of their programmes and views on the future, it was agreed that the group would endeavour to implement their ongoing and future programmes in coordination and in certain areas of concentration. These included training in management and public administration, urban development, education, employment, social services (health, water and sanitation) and rural development. The issue of land reform was also discussed, but it was agreed to be a highly political one and therefore to be dealt with primarily by South Africans themselves.

53. It was generally understood by the meeting that there would be a transition period of two to three years, starting from the multi-party conference, currently planned to be held by the end of 1991. Following its

current session, the General Assembly was expected to review its position on apartheid South Africa, and in December 1991 a resolution in this respect was likely to be issued. Thereafter, the core-group was expected to review its position and plans for assistance in South Africa.

54. It was understood that the need for technical assistance was very extensive in South Africa and the planned programmes would clearly exceed the external resources that would be available. It was also understood that there were considerable domestic resources that would be mobilized once the democratization process was confirmed to have commenced.

55. Regarding the coordination of donors' activities, it was felt that for the core-group the consultative meetings would be a good and sufficient mechanism. It was agreed that information would be exchanged between the consultative meetings as and when appropriate. UNDP would act as a "clearing house" for information exchange at the initial stages.

I. United Nations Environment Programme

56. South Africa is party to certain conventions for which the United Nations Environment Programme (UNEP) serves as secretariat. These are the Convention on International Trade in Endangered Species (CITES) to which South Africa became party on 13 October 1975, the Vienna Convention and the Montreal Protocol on the Protection of the Ozone Layer to which South Africa became a party on 15 January 1990. As a party South Africa takes part in the work of the parties thereto. However, in accordance with Governing Council decision 8/3, UNEP has ceased all forms of cooperation with South Africa and has no new activities planned.

J. United Nations Population Fund

57. The United Nations Population Fund (UNFPA) has no present or planned activities with South Africa and does not intend to develop any activities until the situation in South Africa vis-à-vis the General Assembly is normalized.

58. With regard to procurement, all measures have, in the past, been taken to assure compliance with the General Assembly's resolutions on sanctions against South Africa. The following instruction has been an integrated part of all purchase orders issued in the past:

> "No South African carriers shall be used for the transportation or services related thereto, of goods under this purchase order."

59. With immediate effect, the above instruction has been amplified further, as follows:

"In accordance with the resolutions adopted by the United Nations General Assembly on South Africa, it is a condition of this Purchase Order that no South African products shall be purchased directly or indirectly for purposes of delivery, distribution, installation or use under this Purchase Order. No South African carriers shall be used for the transportation or services related thereto of goods under this Purchase Order. These conditions shall be incorporated by the Contractor in all contracts with sub-contractors under this Purchase Order."

60. With regard to monitoring, UNFPA is doing its best to ascertain that airway bills from the South African Airlines (SAA) or bills of lading from South African shipping companies are not attached as shipping documents and that South African subcontractors are not being used.

61. A positive fruition of the ongoing changes with South Africa, consequently followed by a General Assembly decision to lift the instituted sanctions, could, however, open up numerous new local procurement possibilities in the SADCC-region and an ease in transporting project equipment both to and within the region.

62. Consequently, although UNFPA has provided no support to South Africa, informal contacts have been made between representatives of South African institutions interested in population matters and UNFPA headquarters and field staff (particulary the offices at Botswana, Zambia, Mozambique and Namibia). During these visits, future possibilities (should the status of South Africa change) for technical interchange of experiences have been discussed.

K. Office of the United Nations High Commissioner for Refugees

1. Introduction

63. In March 1991, the Government of the Republic of South Africa announced its agreement, in principle, to invite the Office of the United Nations High Commissioner for Refugees (UNHCR) to participate in the voluntary repatriation of South African refugees and political exiles.

64. After protracted negotiations between the South African Government and UNHCR, the two sides signed a Memorandum of Understanding on 4 September 1991, which will constitute the basis of UNHCR's involvement in the voluntary repatriation exercise. The South African Government and UNHCR have also reached consensus on the text of an agreement intended to govern the legal status, privileges and immunities of UNHCR and its personnel in South Africa. This agreement was negotiated by UNHCR in close consultation with the Office of the Legal Counsel in New York. An office of Chargé de Mission has been established in South Africa to facilitate the implementation of the repatriation programme which is expected to end within 12 months.

65. The number of South African refugees in the southern Africa region has broadly remained stable at some 38,000, of whom over half receive UNHCR assistance. This number includes a new wave of South African asylum-seekers, mostly young men and women, which have been arriving in neighbouring countries since the second half of 1990, claiming to have fled from violence in townships in the Republic of South Africa.

2. Assistance programme

66. From 3 September 1991, UNHCR, together with the International Organization for Migration (IOM), undertook a mission to South Africa in order to conduct needs assessment and to finalize the plan of operation and the budget for the voluntary repatriation operation. The needs assessment was conducted with a view to identifying the most immediate needs of returnees following their repatriation and the appropriate reinstallation assistance that UNHCR will provide to enable them to make a new start in their home country.

67. The planning assumptions are guided by the need, primarily, to respond adequately to the vital welfare needs of the prospective repatriates, particulary those living in Africa. Concurrently, concerted efforts by the parties, including the Government and UNHCR, must address their immediate needs in areas of education and training for productive employment. It is further assumed that many of the candidates currently residing in the continents of North America, Australia and Europe who wish to return home should vigorously explore alternative means for their airfares home. Only in cases of proven destitution would financial assistance under this programme be extended for this purpose.

3. Explanation of the assistance programme

68. The assistance activities are planned to ensure that the refugees repatriate voluntarily in conditions of "safety and dignity". The programme envisages assistance initially to 25,000 persons in three phases: pre-departure, international movement, reception and initial reintegration inside South Africa. The assistance measures proposed in the third phase are the product of discussions between the relevant Government departments of the Republic of South Africa, national liberation movements (ANC, PAC and AZAPO), non-governmental organizations, research institutions and UNHCR; appropriately complemented by an examination of the relevant and minimum unit cost of various types of sectoral assistance which should ensure the dignified reintegration of the nerdy returnees.

69. Expenditure at the pre-departure stage is being kept to a minimum, particularly to the extent that lengthy delays in transit centres and their administrative cost implications can be avoided. Thus, following detailed discussions between the Government of South Africa and the UNHCR during the technical mission, greater clarity and precision have emerged regarding the

financial commitment of the Government. Consequently, the sums being requested from the international community reflect the gap between the agreed minimum requirements and the firm commitment or otherwise of the Government of South Africa.

70. This strategy enhances the capacity of UNHCR to minimize international protection problems which could arise as a consequence of material deprivation. As certain prospective operational partners, such as the National Coordinating Committee on Repatriation (NCCR), will be responsible for individual counselling and distribution of material assistance, the simultaneous monitoring of the activities and actual sectoral needs of individual returnees will be verified better before appropriate assistance is rendered. This inter-sectoral and individual-case approach should not only minimize the incidences of misuse of assistance and concurrently enhance the prospects of responding appropriately to the requirements of genuinely destitute and needy returnees, but should permit a simultaneous examination of an individual returnee's efforts at self-reliance through education, training and employment activities.

4. Implementing arrangements

71. The implementing arrangements within South Africa are determined by the nature of the activities, which have three distinct but related aspects. The process of moving repatriates from the border entry point through reception centres to the final destination constitutes the first. This is the responsibility of IOM, assisted by NCCR. The other two aspects - immediate material welfare assistance and immediate assistance with individual self-reliance for reintegration - are expected to proceed simultaneously. Consequently, a case-by-case approach will be adopted whereby a certain individual case-counselling worker will be responsible for the total range of the needs and efforts of a specified number of returnees, family groups and individuals across all the sectors of activity. Individual welfare needs are addressed under the food, domestic support, health, community services and shelter sectors. His or her efforts at re-integration are monitored under the sectors of education and training, employment and income-generation.

5. Launching of an appeal

72. The plan of operations and budget will form the basis for the issuance of an appeal for funds to finance the Special Programme for the voluntary repatriation and reintegration of South African refugees and exiles. Donor Governments will be invited to announce their financial support towards the operation and to ensure that firm pledges are followed by prompt payments to UNHCR in order to ensure effective and timely implementation of the programme.

6. Role of the United Nations and other agencies

73. In accordance with the terms of paragraph 26 of the Memorandum of Understanding, the involvement of other relevant United Nations agencies and non-governmental organizations is foreseen. The effective participation of the United Nations agencies in providing humanitarian and development assistance is, however, dependent upon progress made with regard to the fulfilment of the consensus resolution 45/176 A on international efforts to eradicate apartheid.

L. World Food Programme

74. The World Food Programme (WFP) is aware of the possible implications of the political evolution in South Africa and of the economic and social needs of low-income populations in South Africa and of the economies of the neighbouring countries. In this connection, WFP is always keeping abreast of the latest developments in order to be in a position to respond at any given moment to possible food aid assistance which would fall within its mandate. If such a request were received by WFP from liberation movements or other organizations, the Programme would consider the request on its merit.

75. With regard to humanitarian assistance to displaced persons or returnees, a discussion took place recently between UNHCR and WFP to review possible cooperative efforts, but it was not foreseen that food aid will, at least for the time being, be part of an assistance programme. On the other hand, the Programme is providing considerable food aid assistance for both development and emergency projects to the front-line States in order to overcome their difficult economic situation resulting from the situation in South Africa and also to provide humanitarian assistance to displaced persons.

76. WFP does not invest funds and has no relations with banks/financial institutions and corporations that conduct business in South Africa. The surplus cash, after meeting expenditure for project and administration, is invested in accordance with United Nations established policies through the Investment Committee of the Food and Agriculture Organization of the United Nations (FAO). The Programme does not purchase any goods or food commodities directly or indirectly of South African origin. WFP does not contract directly with South African shipping lines and endeavours to prevent shipments on South African vessels that are part of, or used by, joint services. No official travel of WFP staff is undertaken by South African Airways or South African shipping lines. With specific approval by the United Nations, New York, items such as purpose-built trucks for use in desert conditions, have been supplied from South Africa to support Namibia/Angola operations.

M. International Labour Organisation

77. A special report is submitted annually by the Director-General to the International Labour Conference containing information on developments relating to apartheid as regards labour matters and action taken by the International Labour Organisation (ILO) constituents in furtherance of the Declaration and the programme of action, as well as that taken within the United Nations system and by the International Labour Office. In addition, information is also provided to the Committee on Discrimination of the Governing Body of ILO at its meetings in May and November of each year, relating, inter alia, to operational activities undertaken by the Office and to the monitoring by a Group of three independent experts appointed by the Governing Body in 1989 of measures concerning sanctions and other action taken.

78. Operational activities involve a variety of technical fields (i.e., labour legislation, vocational training, vocational rehabilitation, employment planning and creation, human resources development, workers' education, migrant workers and small enterprise development) have been directed principally towards assisting the national liberation movements and the black independent trade unions in South Africa.

79. Both the reporting and the operational activities of the ILO have been based on regular contacts and consultations with representatives of the national liberation movements and the trade unions. No ILO official has had contact with any of these organizations in South Africa, nor has there been contact in South Africa with employers' organizations or the South African Government. Similarly, no operational activities have been conducted in South Africa.

80. In recent months, a number of requests have been received from trade unions for technical assistance which have explicitly requested the presence of ILO advisers or specialists at workshops and seminars in South Africa. To date no such request has met with a favourable response. In a letter to the General Secretary of the Congress of South African Trade Unions (COSATU), the Director-General has indicated that he considered that the authorization of the presence of any ILO official in South Africa would represent a radical departure from the practice followed hitherto by ILO. The matter has accordingly been placed before the Committee on Action against Apartheid of the International Labour Conference, which has yet to provide definitive advice on the question. The Director-General has on two occasions received the Minister of Manpower of the Republic of South Africa, Mr. E. Louw, to discuss issues relating to the Fact-finding and Conciliation Commission of the ILO Governing Body, which was set up to consider complaints of the COSATU, alleging violation of trade union rights.

N. United Nations Educational, Scientific and Cultural Organization

81. Taking into account the need to intensify action to eradicate apartheid and to assist in reflecting on policy options for an apartheid-free society in the areas of the Organization's competence, the General Conference of the United Nations Educational, Scientific and Cultural Organization (UNESCO), at its twenty-fifth session in November 1989, adopted the Special Project entitled "Contribution to the elimination of apartheid: towards an apartheid-free world" as part of Major Programme Area VII - UNESCO's Contribution to Peace, Human Rights and the Elimination of All Forms of Discrimination within the UNESCO third medium-term plan, 1990-1995. During the third medium-term plan, modalities of action have been broadened since the General Conference now has authorized UNESCO to extend ongoing collaboration with cadres and specialists of national liberation movements recognized by OAU (ANC and PAC) to "democratic anti-apartheid forces within South Africa", as well as to "encourage international exchanges of intellectuals and scientists from South Africa who are involved in the struggle against apartheid". d/

82. UNESCO has always coordinated its activities for the elimination of apartheid closely with the United Nations system, in particular the United Nations Centre against Apartheid, UNHCR and UNDP. It may be recalled that South Africa withdrew from UNESCO in 1955, and is not a member State of the Organization. UNESCO has strictly adhered to the provisions of the Declaration on Apartheid and its Destructive Consequences in Southern Africa, contained in General Assembly resolution S-16/1, and other Assembly resolutions. In moving towards a phase of repatriation of political exiles, reconciliation and reconstruction, it is expected that cooperation with the United Nations family will be strengthened. UNESCO has worked in close association with OAU: its Liberation Committee, the OAU Inter-African Cultural Fund and the Commission on Human and Peoples' Rights.

83. Seventeen specialists - including representatives from anti-apartheid human rights organizations in South Africa and from ANC and PAC, four members of the African Commission on Human and Peoples' Rights, representatives from the United Nations Special Committee against Apartheid and other United Nations bodies participated in the Workshop on Human Rights Issues for a Post-Apartheid South Africa at Banjul, Gambia, from 18 to 21 June 1991, organized by UNESCO jointly with the African Commission on Human and Peoples' Rights. One of the areas for future action concerned curricula being developed for a new, democratic, apartheid-free South Africa, which should reflect human rights, peace and tolerance at all educational levels, including adult education and informal education. The need to elaborate ways for ensuring the respect of human rights of all people of South Africa, in particular of the black majority population, was one of the priority questions on the policy agenda for moving towards a new South Africa. Participants requested UNESCO and the African Commission on Human and Peoples' Rights to assist in establishing a network for sharing information and experience between anti-apartheid, democratic human rights organizations in South Africa and other human rights bodies in Africa and elsewhere in the world. They

expressed the wish that the results of the workshop be brought to the attention of the General Assembly and OAU.

84. UNESCO and the United Nations Centre against Apartheid collaborated in organizing the International Conference on Educational Needs of the Victims of Apartheid, held in Paris, from 25 to 27 June 1991. Follow-up activities to this Conference will be undertaken, in particular as concerns assistance for formulating educational policies and strategies for a post-apartheid South Africa, in consultation with and at the request of ANC, PAC and educational anti-apartheid organizations within South Africa. It is expected notably that assistance may be requested for organizing a conference within South Africa of anti-apartheid forces to identify educational priorities and needs of the black population and begin to work out a national strategy in this area. e/

85. Another workshop on policy issues for an apartheid-free South Africa was organized by UNESCO, in cooperation with the University of Zambia, at Lusaka from 17 to 20 September 1991, on problems of access of Africans to science and technology. A consultation will be organized in cooperation with the World Council of Churches at Geneva from 23 to 25 November 1991 on the role of religions and religious institutions in dismantling apartheid, in which religious leaders from South Africa and other countries, national liberation movements recognized by OAU, and other anti-apartheid, democratic organizations from South Africa will participate.

86. As part of its social sciences research programme to monitor the effects of apartheid, UNESCO prepared a brochure in 1990 in cooperation with the International Defence and Aid Fund for Southern Africa entitled "Subverting apartheid: education, information and culture under emergency rule". A working paper was prepared on "Southern Africa in the post-apartheid period: governance, democracy and development". f/ An overview of UNESCO's programme for the elimination of apartheid and towards an apartheid-free world was included in document 26 C/104, entitled "Application of the resolution concerning the implementation of the Declaration on Race and Racial Prejudice", presented to the General Conference of UNESCO at its twenty-sixth session.

87. The programme of UNESCO in 1992-1993 will take into account developments in South Africa, and will be coordinated closely with United Nations system-wide efforts for assistance during the transition period and thereafter. The Organization plans to contribute to the Conference on the future role of the United Nations system in efforts to address the socio-economic inequalities in South Africa being organized under the auspices of the United Nations Centre against Apartheid and the Special Committee against Apartheid in early 1992, as well as to the study to be prepared on this topic. A workshop on problems of nation-building and of moving into a culture of peace and democracy will be convened in cooperation with the OAU in southern Africa in 1992. Assistance will be provided to national liberation movements recognized by OAU and to anti-apartheid democratic institutions and organizations for elaborating strategies for alternative policies and strategies for culture, information and education for all. Training in

education, social sciences and other nation-building areas will be provided. The question of eradicating racial discrimination and implementing affirmative action programmes will be examined. These are but a few areas of possible action to meet priority needs of the people of South Africa.

O. International Civil Aviation Organization

88. Since 1965, the Assembly of the International Civil Aviation Organization (ICAO) has adopted a series of resolutions which, recognizing that the policies of apartheid and racial discrimination are a flagrant violation of the principles enshrined in the Charter of the United Nations and the Preamble to the Convention on International Civil Aviation of 1944, strongly condemned those policies.

89. Subsequently, in 1971, the Assembly adopted resolution A18-4, which limited the participation of South Africa in ICAO meetings and the receipt by South Africa of ICAO documentation.

90. The twenty-sixth and twenty-seventh sessions of the ICAO Assembly, in 1986 and 1989, respectively, adopted resolutions A26-5 and A27-5 entitled "Condemnation of the policies of apartheid and racial discrimination of South Africa and measures to be taken in response to the resolutions adopted by the United Nations General Assembly in that regard". Their main objectives are reflected in Resolving Clause 2, namely:

(a) To reiterate the United Nations call to all nations and peoples of the world to exert pressure on South Africa to abandon its apartheid policies, and

(b) To urge all Contracting States of ICAO to ban air links and suspend or terminate bilateral air transport agreements with South Africa.

91. In Resolving Clause 3, the ICAO Assembly instructed the Council to keep in constant review at each Council session the developments in South Africa and all measures taken in accordance with these ICAO Assembly resolutions.

92. Since the adoption of ICAO Assembly resolution A27-5 in October 1989, five progress reports have been submitted to the ICAO Council providing updated information on the implementation of that resolution.

93. When considering the latest progress report in June 1991, the Council noted that a total of 97 contracting States have so far informed ICAO that they do not maintain any air links with South Africa.

94. Furthermore, the latest progress report also provided relevant information on recent developments in South Africa, in particular on the progress made in the implementation of the important Declaration on Apartheid and its Destructive Consequences in Southern Africa, which was adopted by consensus at the sixteenth special session of the United Nations General Assembly, in its resolution S-16/1 of 14 December 1989.

95. The ICAO Council noted that, as events unfold in South Africa, the United Nations system will be called upon to provide its experience and resources in order to help redress the grave social and economic inequalities created by apartheid.

96. The ICAO Council requested its Secretary-General to present the next progress report on this subject to the 134th session of the Council in November 1991, in the light of the results of the discussion within the framework of ACC, which are intended to ensure that the activities of the organizations of the United Nations system are carried out in a coherent and coordinated manner and are fully consistent with the relevant resolutions of the United Nations General Assembly.

P. World Health Organization

97. The Director-General of the World Health Organization (WHO) submits an annual report to the World Health Assembly on collaboration within the United Nation system in respect to the liberation struggle in southern Africa, and assistance to the front-line States, as well as Lesotho and Swaziland. Through its Regional Office for Africa, the subregional health development teams and the country representatives, and, in cooperation with other United Nations organizations, WHO supports health programmes in the front-line States which help solve the acute health problems arising both from the presence of South African refugees and displaced persons, and from destabilization by South Africa. The World Health Assembly, meeting in May 1990, adopted resolution WHA 43.14 which resolves that WHO shall continue to take appropriate and timely measures to help the front-line States, Lesotho and Swaziland, and provide countries which have been targets of destabilization by South Africa with technical cooperation in the health field, for the rehabilitation of their damaged health infrastructure. The resolution requests the Director-General to intensify humanitarian assistance to ANC and PAC, and to mobilize extrabudgetary resources for these purposes.

98. WHO adheres strictly to the provisions of United Nations General Assembly resolutions pertaining to apartheid, and over the past decades has maintained a policy of not initiating any contacts which would have the implication of cooperation with any governmental departments of the Government of South Africa, as well as with any national institutions, including academic institutions, which are either State-owned or associated with apartheid. WHO has no particular programme of projects of a scientific nature with the Government of South Africa or institutions or organizations associated with it. However, with the repeal of the national policy on apartheid, WHO is prepared to entertain contacts at the technical working level on matters directly related to health and keep the Office of the United Nations Secretary-General informed thereof.

99. WHO seeks to respond to the appeals of United Nations General Assembly resolutions that organizations increase humanitarian assistance and support to the victims of apartheid. In this respect, WHO is able to offer limited

support through non-governmental organizations in official relations with WHO. Such non-governmental organizations with affiliates in South Africa have to convince WHO's Executive Board that they are opposed to apartheid and that their organization is open to all qualified persons irrespective of race.

100. Through non-governmental organizations and trade unions, WHO has received information on the incidence of the human immunodeficiency virus (HIV) infection and of acquired immunodeficiency syndrome (AIDS) in South Africa. Among the white population the highest incidence of HIV infection is among homosexual men, whereas among the black population most infections have been among the heterosexual population and the incidence appears to be increasing. Informal exchanges took place in 1988 between the WHO Global Programme on AIDS (GPA) and ANC, and the names of contact persons were provided to the Swedish International Development Agency (SIDA), which supported training and information activities in the context of refugee camps in Zambia and Zimbabwe. In 1989, a number of trade unions and other non-governmental organizations approached GPA to find out whether technical collaboration with WHO was possible. They were informed that technical information could be provided to South African non-governmental organizations with a clear anti-apartheid policy; that trade unions could explore the possibility of having an AIDS-related dialogue through ILO; that they could explore links with other African non-governmental organizations working on AIDS; and that it would be possible for WHO to mention the urgency of the AIDS situation in South Africa when dealing with government bodies. In follow-up, WHO funded a meeting of southern African non-governmental organizations at Harare, Zimbabwe, in May 1990, which has resulted in the formation of SANASO, the Southern African Network of AIDS Service Organizations, a multi-racial group serving non-governmental organizations working on AIDS throughout southern African countries. WHO has also made a grant to OXFAM to contribute to the "Puppets against AIDS" project, which has received acclaim in southern African communities and internationally as an innovative and highly entertaining way of increasing AIDS awareness and dealing with issues such as sexuality and condom use. In general, the Global Programme on AIDS attempts to maintain informal information exchange with international non-governmental organizations who work in South Africa and who have a clear anti-apartheid position.

Q. World Bank

101. South Africa is a paid-up member of the International Bank for Reconstruction and Development (IBRD) and a contributing member of the International Development Association (IDA). The Bank has had no operational relationship with the Government since the last loan was approved in 1966. All loans have been repaid. Since the early 1970s, South Africa has not been represented on the Board of Executive Directors, but instead by a Principal Resident Representative to the International Monetary Fund (IMF) and the World Bank.

102. With the prospect of political change in South Africa, the World Bank began a programme of economic and sector work early in 1990. This ongoing programme is essentially directed at a post-apartheid South Africa. The programme has been carried out with limited staff resources and has so far concentrated on: (a) establishing a wide range of contacts; (b) developing a reliable economic and social database; (c) initiating a series of studies into the general economy and the urban and education sectors; and (d) disseminating the lessons of the Bank's global experience, for example, through seminars on the 1990 World Development Report on Poverty.

103. The World Bank's programme has been endorsed by the Government and leading black opposition groups, and has involved Bank staff in broadly-representative contacts with Government agencies, black political parties, the business community, universities and foundations and other non-governmental organizations.

104. A central aim of the Bank's programme is to be prepared to assist a future government in moving the economy towards a more rapid and labour-absorbing growth path, while permitting a substantial degree of redistribution. Numerous economic areas are being explored, notably macroeconomic stabilization, the potential for changing the levels and composition of public expenditure, industrial policy and wage and employment issues. Several informal discussion papers are being prepared, and a synthesis report will be produced at the end of calendar year 1991. A next line of inquiry will be into the role of the financial system, and the efficiency with which the financial sector channels savings into private investment. A range of industrial issues will also be examined, including the promotion of black-owned business.

105. The Bank's work in the urban sector embraces a wide range of issues reflecting the poor performance of the sector's institutions in providing housing and services for black South Africans. Prospects for restructuring of local government and the more effective harnessing of housing finance are being examined. In the education sector, the Bank's work is still at a reconnaissance stage, although it is envisaged that an informal report will form the basis for discussion by the numerous groups now attempting to present a coherent strategy for educational development.

106. The Bank has so far done only very preliminary work in the agricultural sectors; this will be expanded in the coming year to assess agriculture's potential impact on income distribution, particularly in view of its labour-absorption potential.

107. The World Bank has no intention at present to start preparing projects or providing direct technical assistance to the government until there is: (a) broad support in South Africa and among the Bank's shareholders for this change of role; and (b) a significant degree of consensus on the underlying economic issues in the sector concerned.

108. The World Bank does expect to provide technical assistance to non-governmental groups to help establish an independent Institute for Economic Research at the University of Cape Town. The Bank has initiated a feasibility study, and expects to work closely with advisory groups from the universities, the big corporations and black business organizations, as well as international aid agencies, in determining the structure and aims of the institution. Further involvement by the Bank and its economic Development Institute in training black South Africans is currently being discussed with the United Nations and other assistance agencies.

109. In parallel activities, the Bank is adjusting much of its economic work in the countries of southern Africa to reflect geopolitical developments, for example, its assistance strategy for Lesotho and Swaziland is now based on capturing the opportunities and minimizing the risks of the countries' changing relationship with South Africa. A large body of work carried out by the Bank and SADCC to assess the financial viability of the region's transportation corridors is being extended by the European Economic Community (EEC) to take into account the prospect for closer links with the South African transport sector, and the UNDP/Bank Energy Sector Management Assistance Programme is working with SADCC and the South African power utility on plans to expand regional power interconnections. Recently the Bank, in collaboration with EEC, launched a major study to reassess the potential for regional integration in the light of political developments. The Bank is working closely with SADCC and the African Development Bank on this study.

R. International Monetary Fund

110. South Africa is a long-standing member of the International Monetary Fund (IMF), with the same right of access to Fund facilities and resources as other Fund members in good standing. The last occasion on which South Africa made purchases from the Fund was in the early 1980s. Since then, the Fund's contact with South Africa has consisted primarily of the article IV consultation, which the Fund holds with all members at regular intervals. In this context, the Fund, through the reports of the staff and discussions of the Executive Board, has commented on the conduct of macroeconomic policy in South Africa, including the deleterious effects of apartheid on the country's economic and social performance. The last staff visit to South Africa as part of the consultation process took place in August 1991.

111. In addition to the annual article IV consultation cycle, the Fund has recently advised the South African authorities on specific technical taxation issues. It is expected that future discussions will focus on the medium-term setting of macroeconomic policy, particularly fiscal policy, to address South Africa's pressing social problems, while at the same time promoting growth in output and employment. The Fund expects to stay in increasingly close touch with a broad and representative spectrum of individuals and institutions in both the public and private sectors, with a view to playing a positive role in South Africa's transitional period and beyond. It is also expected that increased coordination with IBRD will take place as that organization resumes

work in South Africa so as to facilitate consistent policy advice from the two institutions.

S. Universal Postal Union

112. In 1984 it was decided by the Universal Postal Union (UPU) that South Africa could not be readmitted as long as it continued to practice the policy of apartheid. Consequently, no technical cooperation activity is envisaged at this moment.

T. World Intellectual Property Organization

113. In the context of its Development Cooperation Programme, the World Intellectual Property Organization (WIPO) has, since 1981, been awarding training fellowships to officials of the liberation movements of South Africa recognized by OAU.

U. International Atomic Energy Agency

114. South Africa became a member of the International Atomic Energy Agency (IAEA) in 1957. After several years of demands by the IAEA General Conference that South Africa should submit all her nuclear activities to IAEA safeguards, and after a proposal by the June 1987 IAEA Board of Governors that South Africa should be suspended from the rights and privileges of membership until it did so, South Africa acceded to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) on 10 July 1991. On 16 September 1991, the South African Government signed the required NPT safeguards agreement which entered into force upon signature.

Notes

a/ For a full account of the results of the Conference, see A/AC.115/L.678.

b/ E/ICEF/1989/P/L.3.

c/ E/ICEF/P/L.42.

d/ See United Nations Educational, Scientific and Cultural Organization third medium-term plan, para. 413, and resolution 25 (C/4/107, para. 3 (b)).

e/ A/AC.115/L.678, paras. 25 and 26.

f/ See Studies and Documents on Major Programme I, United Nations Educational, Scientific and Cultural Organization, DEP/90/WS, January 1990).

ANNEX II

Decision 1991/7 of the Administrative Committee on Coordination on a coordinated approach by the United Nations system to questions relating to South Africa

The Administrative Committee on Coordination (ACC) decided to adopt the following guidelines for a coordinated approach by the United Nations system to questions relating to South Africa:

(a) Adherence to past General Assembly resolutions: the majority of member organizations of ACC, following inquiries made by the Organizational Committee in 1986 and in subsequent communications, reported that, in reacting to General Assembly resolutions, they had in varying degrees taken the following action:

(i) Divestiture of stocks and bonds and denial of contracts and facilities to companies, including transnational corporations, doing business with South Africa;

(ii) Closure of accounts and cessation of business relations with banks and other financial institutions in or collaborating with South Africa;

(iii) Refrain from purchasing South African products;

(iv) Prohibition of official travel by South African air and shipping lines;

(v) Particular attention to the needs of victims of apartheid, of front-line States and of liberation movements recognized by the Organization of African Unity (OAU);

(vi) Publication and dissemination of information on apartheid.

With due regard to exceptions made below, the system will continue to adhere to these courses of action in response to General Assembly resolutions. Any departure deemed necessary from mandates or past practices will be discussed with the Office of the Secretary-General.

(b) Programmes/projects: programmes and projects of the organizations of the United Nations common system should, for the time being, confine themselves to the objectives set out in General Assembly resolutions 44/244 of 17 September 1990 and 45/176 of 19 September 1990, as well as to the relevant mandates established by the competent authorities of these organizations and entities. Such programmes or projects should be established in such a way that - with the exception of humanitarian projects such as those of the Office of the United Nations High Commissioner for Refugees (UNHCR) - their execution does not entail a permanent United Nations presence in South Africa. In order

to help ensure a concerted approach, the Office of the Secretary-General should be informed of requests for assistance addressed to these members of ACC by the liberation movements or other organizations and be provided with the relevant information and action to be taken for the preparation of the Secretary-General's report to the General Assembly at its forty-sixth session in accordance with General Assembly resolution 45/176 A.

(c) Travel: the Office of the Secretary-General should receive prior information regarding all travel for official purposes to South Africa by officials belonging to the United Nations common system. As a general guideline, such official travel should only be undertaken when related to the assistance objectives set out in recent General Assembly resolutions on South Africa or in accordance with the respective mandates of the organizations of ACC.

(d) The United Nations Centre against Apartheid should prepare, in consultation with interested agencies and regional organizations concerned, a preliminary assessment of the possible implications of political evolution in South Africa and of the economic and social needs of low-income populations in South Africa and of the economies of the neighbouring countries.

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Agenda item 145
THE SITUATION OF DEMOCRACY AND
HUMAN RIGHTS IN HAITI

SECURITY COUNCIL
Forty-sixth year

Letter dated 12 November 1991 from the Permanent Representative of Haiti to the United Nations addressed to the Secretary-General

On instructions from the legitimate Government of Haiti I have the honour to transmit to you herewith the text of a resolution concerning Haiti adopted on 31 October 1991 by the Committee of Ambassadors of the African, Caribbean and Pacific Group of States (ACP Group).

I should be grateful if you would have the text of this letter and its annex circulated as an official document of the General Assembly, under agenda item 145, and of the Security Council.

(Signed) Fritz LONGCHAMP
Ambassador
Permanent Representative

ANNEX

Resolution concerning Haiti

SUPPORT OF THE ACP GROUP FOR THE DEMOCRATICALLY ELECTED GOVERNMENT OF HAITI

The ACP Committee of Ambassadors,

Having heard the statement of the President of Haiti, Father Jean-Bertrand Aristide, addressed to the Committee of Ambassadors concerning the illegal overthrow of the democratically elected Government of Haiti by a recent military coup d'état and the massive loss of civilian life which resulted therefrom;

Taking note of the fact that the Government of President Aristide represents the legitimate and democratic expression of the will of the people of Haiti through free elections held on 16 December 1990 under the supervision of the international community;

Noting that the Fourth Lomé Convention specifically encourages the respect, promotion and enjoyment of all human rights, including civil and political rights;

Bearing in mind the fact that Haiti is one of the most recent signatories to the ACP-EEC Lomé Convention and the need for the ACP States to demonstrate their solidarity with the democratically elected Government and the people of that State;

Considering the resolutions adopted by various international organizations, including the United Nations, the Organization of American States and the European Parliament, and calling for the restoration in Haiti of the constitutionally elected Government;

Noting that the Universal Declaration of Human Rights specifically provides that the will of the people shall be the basis of the authority of government, and considering that President Aristide was elected with 67 per cent of the popular vote;

Considering that any entity created by the procedures extraneous to the constitutional process that was determined by the referendum on the 1987 Constitution and the elections of 16 December 1990 resulting therefrom is totally unacceptable;

1. Vigorously condemns the coup d'état and the use of violence as well as the daily loss of human life in Haiti;

2. Reiterates and emphasizes the condemnation by the international community of the denial of the rights of the Haitian people to self-determination;

3. Demands the total and immediate restoration of the constitutionally elected Government of President Aristide and recognizes the representatives appointed by that Government as the sole legitimate representatives of the Haitian Government to the organizations and institutions of the ACP-EEC Lomé Convention;

4. Recommends, while fully respecting the policy of each member State regarding the recognition of States and Governments, the adoption of measures aimed at the complete isolation of those unlawfully holding power in Haiti today;

5. Recommends to all States signatories to the Lomé Convention to suspend all military, economic, financial and trade relations with Haiti, as well as all aid and technical cooperation provided under the Lomé Convention, with the exception of strictly humanitarian assistance provided through non-governmental organizations;

6. Recommends further that humanitarian assistance to the Haitian population should be increased with a view to mitigating the tragic consequences of the military coup d'état;

7. Requests the President of the Senate and the President of the Chamber of Deputies of Haiti to discharge their constitutional obligation and to initiate without delay a dialogue aimed at the nomination of a Prime Minister who would be mutually acceptable to the constitutionally elected President, Father Aristide, and to the Parliament, in accordance with the Haitian Constitution;

8. Supports the appeal made by the international community for the restoration of democracy in Haiti and, to that end, urges the European Economic Community to support the efforts being made by the Organization of American States to send a civilian mission to Haiti;

9. Approves the adoption of an intensified programme of cooperation to meet the economic and social needs of the Haitian people with a view to the restoration of democracy;

10. Decides to transmit this resolution to the Chairman of the ACP Council of Ministers, the Permanent Representatives of the States members of the European Economic Community, the Commission of the European Communities and the Co-Presidents of the ACP-EEC Joint Assembly, as well as the President of Haiti, Father Aristide.